**Summary of SC101176, *Comprehensive Health of Planned Parenthood Great Plains, et al. v. State of Missouri, et al.***

Appeal from the Jackson County circuit court, Judge Jerri Zhang
Submitted on filings August 12, 2025; opinion issued August 12, 2025

**Attorneys:** The state was represented by J. Michael Patton, Louis J. Capozzi III, Peter F. Donohue Sr., Victoria Lowell and Dominic X. Barceleau of the attorney general's office in Jefferson City, (573) 751-3321. Planned Parenthood was represented by Gillian R. Wilcox and Jason Orr of the ACLU of Missouri Foundation in Kansas City, (816) 470-9938; Kristin M. Mulvey, Jonathan D. Schmid and Tori M. Schafer of the ACLU of Missouri Foundation in St. Louis, (314) 652-3114; Chelsea Tejada of the ACLU Foundation in New York City, (212) 549-2633; Tiffanie McDowell of Crowell & Moring LLP in Irvine, California, (949) 263-8414; Ella Spottswood, Camila Vega, Vanessa Pai-Thompson and Jennifer Sandman of the Planned Parenthood Federation of America in New York City, (212) 541-7800; and Virginia Marino, Emily T. Kappers, Jung Un Shin and Yixin Bao of Crowell & Moring LLP in Chicago, (312) 321-4200.

*This summary is not part of the opinion of the Court. It is provided by communications counsel for the convenience of the reader. It neither has been reviewed nor approved by the Supreme Court and should not be quoted or cited.*

**Overview:** The state appeals the circuit court's preliminary injunction against a number of laws and regulations challenged as violating article I, section 36 of the state constitution. In a unanimous decision written by Judge Mary R. Russell, the Supreme Court of Missouri transfers the case to the Missouri Court of Appeals, Western District, which properly has jurisdiction (authority) over the appeal. The issue on appeal is whether the circuit court abused its discretion in granting the preliminary injunction. The circuit court has not yet reached or decided the constitutional validity of any of the challenged statutes. There is nothing, therefore, to invoke this Court's exclusive appellate jurisdiction (allowing the parties to skip the court of appeals and appeal directly to this Court).

**Facts:** In November 2024, Missouri voters approved an initiative petition amending the state constitution. As a result, article I, section 36 of the Missouri Constitution now prohibits the government from denying or infringing on an individual's right "to make and carry out decisions about all matters relating to reproductive healthcare." After the amendment passed, two Planned Parenthood organizations sued the state in Jackson County. Planned Parenthood challenged a number of state laws and regulations, asking the circuit court to declare them unconstitutional under the amendment and to preliminarily enjoin the state from enforcing them pending the outcome of the case. After a hearing, the circuit court in December 2024 and January 2025 issued preliminary injunctions preventing the state from enforcing some – but not all – of the challenged laws and regulations. The state sought relief in this Court, which found the circuit court had used the wrong legal standard. This Court issued a writ ordering the circuit court to vacate its preliminary injunctions and reevaluate the request for injunctive relief under the proper standard, which this Court explained in its writ. The circuit court did as directed, then issued another preliminary injunction preventing the state from enforcing the same laws and regulations as in the first two orders. The state appeals. This Court ordered the parties to show cause why

this Court has exclusive appellate jurisdiction pursuant to article V, section 3 of the state constitution.

**CAUSE TRANSFERRED.**

**Court en banc holds:** Under the state constitution, appellate jurisdiction is proper in the Missouri Court of Appeals, Western District – not this Court. Under article V, section 3, this Court has exclusive appellate jurisdiction over cases involving the validity of a state statute. Such jurisdiction, however, is not triggered merely because the underlying *case* involves a constitutional issue, nor does that "end the inquiry" as the state suggests. Instead, this Court must look at the *claim* at issue on appeal and determine whether that claim was properly preserved in both the circuit and appellate courts. This appeal involves only whether the circuit court abused its discretion in entering the preliminary injunction. The underlying case remains pending in the circuit court. There has been no discovery, no collection of evidence, no presentation of arguments at trial and, therefore, no adjudication of the merits of Planned Parenthood's constitutional challenges that could trigger this Court's exclusive appellate jurisdiction.